



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,479	03/01/2004	Darrell Reginald May	85002	9515
27975 7590 06/05/2008 ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791				
EXAMINER KAMPURIA, SHARAD K				
ART UNIT 2617		PAPER NUMBER		
NOTIFICATION DATE 06/05/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

creganoa@addmg.com

Response to Remarks

Applicant's arguments filed on 05/16/2008 have been fully considered but they are not persuasive.

Relating to Claims 1-2, 4-7, 9-14 and 16-23:

The declaration filed on 05/16/2008 under 37 CFR 1.131 has been considered but is insufficient to overcome the Kuboyama et al. [US 20040186728] reference.

The evidence submitted is insufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country prior to the effective date of the Kuboyama et al. [US 20040186728] reference. The evidence submitted is insufficient to establish a conception of the invention, because the exhibit A has not adequate proof of inventive-materials for claimed-limitations, even though the exhibit includes the e-mail documents, but, technically, in comparison between the evidence and the present application, the affidavit doesn't show **each and every claimed limitation**. Every limitation including those in dependent claims would have to be clearly shown in the evidence, and it's very unlikely that meets this requirement. Therefore, they are not sufficiently indicated the inventive-materials for claimed-limitations.

Hence, it is believed that Kuboyama *still teaches the claimed limitations*.

In view of the fact that, Applicant doesn't provide any argument about the rejection of above reference (except the 131-issue), with the intention of that explanation, it is believed and as enlighten above, the refutation are sustained.